IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

OP.No. 32617 of 2000(G)

PETITIONER:

S.SANKARANKUTTY NAIR,
AGED 51 YEARS, S/O. A.K.KUTTAN PILLAI,
NAMBOORATH PUTHEN VEEDU,
KARASHMA EAST, VALIYAKULANGARA P.O.,
MAVELIKARA, NOW WORKING AS GRADE II WORKER,
MINOR IRRIGATION SECTION, MAVELIKARA

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)

RESPONDENTS:
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1. **STATE OF KERALA, REP.BY THE CHIEF SECRETARY, THIRUVANANTHAPURAM.**

2. **THE CHIEF ENGINEER, IRRIGATION DEPARTMENT, THIRUVANANTHAPURAM.**

3. **THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, CHENGANNUR.**

4. **THE ASSISTANT EXECUTIVE ENGINEER, MINOR IRRIGATION SUB DIVISION, CHENGANNUR.**

BY GOVERNMENT PLEADER SRI.P.N.SANTHOSH

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. NO.32617/2000

ORDER ON CMP. NO.55717/2000 IN OP. NO.32617/2000

DISMISSED

25.10.2007 SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE G.O(P) NO.17/99/IRR.D. DT. 18.3.99 OF IRRIGATION (A) DEPARTMENT.

EXT.P2:- COPY OF THE ORDER NO.A2-95-2000 DT. 1.3.2000 ISSUED BY THE 4TH RESPONDENT.

EXT.P3:- COPY OF THE EXRACT OF FINAL SENIORITY LIST AS ON 19.5.83.

EXT.P4:- COPY OF THE TOTAL WORKING DAYS OF THE PETITIONER FROM 83-84 TO 89-90.

/TRUE COPY/

P.S. TO JUDGE

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THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No.32617 of 2000-G

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Dated this the 25th day of October, 2007.

JUDGMENT

By Ext.P1 Government Order, the benefit of time-bound grade promotion was extended to the regularized CLR/SLR workers counting their CLR/SLR service prior to their absorption into regular service. The service prior to their regularization was to be reckoned from the seniority list of CLR/SLR workers as number of days they had worked and 240 days of work were to be treated as one year for such purpose. The petitioner was given the benefit as per Ext.P2. However, his case is that Ext.P3 has been ignored while deciding upon the issue and that Ext.P4 details also have to be considered for granting

relief to the petitioner.

For the aforesaid reasons, this writ petition is disposed of directing that the case of the petitioner on the basis of Exts.P3 and P4 will be taken up for consideration and orders issued in accordance with Ext.P1 by the competent among the respondents within an outer limit of four months from the date of receipt of a copy of this judgment. The petitioner will also be given a pre-decisional hearing. Any monetary benefit on account of such decision shall be made available to the petitioner within a further time limit of four months.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-

THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No.32617 of 2000-G

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JUDGMENT

Dated: 25th October, 2007.